



City of Warner Robins City Council Meeting Minutes

Monday, September 21, 2020

5:30 PM

Council Chambers

Regular Meeting of Warner Robins City Council

Meeting conducted via teleconference* and in person, due to the State of Emergency issued by Governor Brian Kemp on March 13, 2020 concerning the Coronavirus disease (COVID-19). O.C.G.A. §50-14-1(g) allows cities to conduct a meeting via teleconference, without a requirement of having a quorum present in person, when “necessitated by emergency conditions,”.

Presiding: Mayor Randy Toms

City Officials Present:

Councilman Daron Lee
Councilman Charlie Bibb
*Councilman Keith Lauritsen

Councilman Kevin Lashley
*Councilman Clifford Holmes
Councilman Larry Curtis

Opening Prayer: Councilman Curtis

Pledge of Allegiance: Councilman Lashley

Call to Order: 5:31 p.m.

Adoption of the Agenda: Councilman Holmes moved to adopt the agenda. Councilman Lashley seconded the motion. Councilmen Lee, Bibb, Lauritsen, Lashley, Holmes and Curtis voted for adoption of the agenda.

Action Items:

Action Item 1	Presentation of Minutes
The minutes of the regular meeting of September 08, 2020 were presented for approval.	
Motion:	Councilman Bibb moved for the approval of the minutes for regular meeting of Tuesday, September 08, 2020
Second:	Councilman Lashley
Outcome:	Councilmen Lee, Bibb, Lauritsen, Lashley, Holmes and Curtis voted for approval.

Action Item 2 Purchasing Coversheet	
Purchasing Bid List item, attached hereto, were presented for approval.	
Motion:	Councilman Curtis presented and moved for the approval of the Purchasing Bid Coversheet. Ten items.
Second:	Councilman Lashley
Outcome:	Councilmen Lee, Bibb, Lauritsen, Lashley, Holmes and Curtis voted for approval.

Action Item 3 Ordinance #27-20 – Deannexation of 1001 and 1003 Leverette Rd. (SECOND READING)	
Ordinance #27-20 of the Mayor and Council of the City of Warner Robins, Georgia amending Ordinance #28-12, to delete the following properties from the annexation under said ordinance: <ul style="list-style-type: none">• 1001 Leverette Rd.• 1003 Leverette Rd.	
Motion:	Councilman Lashley presented Ordinance #27-20 for approval.
Second:	Councilman Curtis
Outcome:	Councilmen Lee, Bibb, Lauritsen, Lashley, Holmes and Curtis voted for approval.

Action Item 4 Resolution – Governor’s Office of Highway Safety Grant	
A resolution of the Mayor and Council of the City of Warner Robins hereby authorize Mayor Randy Toms to execute the Grant Award agreement through the Georgia Governor’s Office of Highway Safety (GOHS).	
Motion:	Councilman Lee moved for the approval of this resolution.
Second:	Councilman Lashley
Outcome:	Councilmen Lee, Bibb, Lauritsen, Lashley, Holmes and Curtis voted for approval.

Action Item 5	Resolution – MSI Benefits Group
<p>A resolution of the Mayor and Council of the City of Warner Robins authorize Mayor Randy Toms and City Clerk Mandy Stella to execute an agreement with MSI Benefits Group, Inc. for a period of one year from signing of such agreement.</p>	
Motion:	Councilman Curtis moved for the approval of this resolution.
Second:	Councilman Bibb
Outcome:	Councilmen Lee, Bibb, Lauritsen, Lashley, Holmes and Curtis voted for approval.

Action Item 6	Resolution – FY 2021 GDOT Transportation Planning Grant
<p>A resolution of the Mayor and Council of the City of Warner Robins, acting in their capacity as the designated Metropolitan Planning Organization (MPO), that they do hereby:</p> <ol style="list-style-type: none"> (1) Approve matching funds in the amount of \$19,325.00, of which 55.40% will be reimbursed by other local government participants; and (2) Authorize Mayor Randy Toms to furnish all relevant information and execute necessary documents for the administering of this project on behalf of the City. <p>That Randy Toms, Mayor of the City of Warner Robins, is duly authorized to execute this Resolution for himself and on behalf of the Council.</p>	
Motion:	Councilman Lauritsen moved for the approval of this resolution.
Second:	Councilman Bibb
Outcome:	Councilmen Lee, Bibb, Lauritsen, Lashley, Holmes and Curtis voted for approval.

Action Item 7	Resolution – Employee Promotions
<p>The following employee was recommended for promotion by their respective department.</p> <ul style="list-style-type: none"> • William Baggle, promoted from Firefighter, Job Class #520, Grade 14, Fire Department, to Fire Driver Engineer, Job Class #515, Grade 16, Fire Department, to be effective September 21, 2020. 	

Motion:	Councilman Bibb moved for approval
Second:	Councilman Curtis
Outcome:	Councilmen Lee, Bibb, Lauritsen, Lashley, Holmes and Curtis voted for approval.

Action Item 8	Ordinance #28-20– 2020 Millage rate (1st reading)
Ordinance #28-20 of the Mayor and Council of the City of Warner Robins states the millage rate for 2020 is set at 9.980 mills and the due date will be December 21, 2020.	
Motion:	N/A
Second:	N/A
Outcome:	N/A

Action Item 9	Ordinance #29-20 – City of Warner Robins Classification Plan (FIRST READING)
Ordinance #29-20 of the Mayor and Council of the City of Warner Robins, Georgia	
BE IT ORDAINED that the City Classification Plan be amended as follows:	
-1-	
Increase the authorized strength of UT Maint Crewleader (Water), Job Class #909, Grade 15, Utility Department, from four (4) to five (5).	
-2-	
Increase the authorized strength of Equipment Operator (Water), Job Class #913, Grade 10, Utility Department, from two (2) to three (3).	
-3-	
Create the position of Damage Prevention Specialist Supervisor, Job Class #941, Grade 17, authorized strength of one (1), Utility Department.	
-4-	
Reclassify the position of UT Maint Supervisor (Water), Job Class #924, Grade 17, Utility Department, to Grade 19.	
-5-	
Reclassify the position of UT Maint Supervisor (Sewer), Job Class #930, Grade 17, Utility Department, to Grade 19.	
-6-	
Reclassify the position of Meter Maintenance Supervisor, Job Class #934, Grade 16, Utility Department, to Grade 17.	

Motion:	Councilman Lashley presented Ordinance #29-20 for approval and to waive the second reading.
Second:	Councilman Bibb
Outcome:	Councilmen Bibb, Lauritsen, Lashley, Holmes and Curtis voted for approval. Councilman Lee opposed. It moves to October 05, 2020 for second reading.

Action Item 10	Ordinance #30-20– Development Authority of Warner Robins (FIRST READING)
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Ordinance #30-20 states that the Mayor and Council of the City of Warner Robins hereby adopt the following addition to the City Code regarding the:

-1-

DEVELOPMENT AUTHORITY OF WARNER ROBINS

Sec. 1. – Purpose

- (A) There is hereby created a body corporate and politic in the City of Warner Robins in Houston County to be known as the Development Authority of Warner Robins, which shall be an instrumentality of the City of Warner Robins and a public corporation and which is hereafter referred to as the “Development Authority of Warner Robins” and “authority.”

Sec. 2. – Composition, Term, and Appointment of Board of Directors

- (B) The authority shall consist of a board of not less than seven and not more than nine directors to be appointed by resolution of the Mayor and City Council of Warner Robins. At the expiration of the current terms of office of the first four members of the boards of directors, the Mayor and City Council of Warner Robins shall elect successors to such members to serve for initial terms of two years and shall elect successors to such members to serve for initial terms of two years and shall elect successors to the remaining members of the board for initial terms of four years. Thereafter, the terms of all directors shall be for four years. The terms of any directors added to the original seven directors shall be four years. If, at the end of any term of office of any director, a successor thereto has not been elected, the director whose term of office has expired shall continue to hold office until his successor is so elected.
- (C) The Mayor and City Council of Warner Robins may appoint no more than one member of the Mayor and City Council of Warner Robins to the Development Authority of Warner Robins as a director.
- (D) The provisions of Official Code of Georgia Section 45-10-3 shall apply to all directors of the Development Authority of Warner Robins, and a director shall not engage in any transaction with the authority, except for the provision of legal services in connection with any of the undertakings

of the authority or from being paid for such services as provided in Official Code of Georgia Section 36-62-51(1)(B)(2).

- (E) In conjunction with compliance with Official Code of Georgia Section 45-10-3 paragraph 9 and Official Code of Georgia Section 36-62-51(1)(A), the Development Authority of Warner Robins may purchase from, sell to, borrow from, loan to, contract with, or otherwise deal with any director or any organization or per person with which any director of the authority is in any way interest or involved, provided (1) that any interest or involvement by such director is disclosed in advance to the directors of the Development Authority of Warner Robins and is recorded in the minutes of the authority, (2) that any interest or involvement by such director with a value in excess of \$200.00 per calendar quarter is published by the Development Authority of Warner Robins in each county affected by such interest, at least 30 days in advance of consummating such transaction, (3) that no director having a substantial interest or involvement may be present at that portion of a Development Authority of Warner Robins meeting during which discussion of any matter is conducted involving any such organization or person, and (4) that no director having a substantial interest or involvement may participate in any decision of the Development Authority of Warner Robins relating to any matter involving such organization or person. As used in this subsection, "substantial interest or involvement" means any interest or involvement which reasonably may be expected to result in a direct financial benefit to the such director as determined by the Development Authority of Warner Robins, which determination shall be final and not subject to review.

Sec. 3– Qualification of Directors

- (F) The directors shall be taxpayers residing in the City of Warner Robins.

- (G) No director shall assume office until that person has executed and filed with the clerk of the city an oath obligating himself or herself to faithfully and impartially perform the duties of that director's office. The oath shall read as follows and be administered by the Mayor.

I do solemnly swear or affirm that I will faithfully and impartially perform the duties of Director of the Development Authority of Warner Robins and that I will support and defend the Charter of the City of Warner Robins as well as the Constitution and laws of the State of Georgia and of the United States of America. I will not knowingly receive, directly or indirectly, any money other valuable thing, for the performance or nonperformance of any act or duty pertaining to my office, other than the compensation allowed by law. I further swear or affirm that I will faithfully discharge my duties as a Director of the Development Authority of Warner Robins to the best of ability.

Sec. 4– Voting, Officers, Compensation, Bylaws, and Audit

- (H) A majority of the directors shall constitute a quorum, but no action may be taken by the board without the affirmative vote of a majority of the full membership of the board.

- (I) The directors shall elect one of their members as chairman and another as vice-chairman and shall also elect a secretary and a treasurer or a secretary-treasurer, either of whom may, but need not, be a director.

- (J) The directors shall receive no compensation for their services but shall be reimbursed for their actual expenses incurred in the performance of their duties.

- (K) The Development Authority of Warner Robins may make bylaws and regulations for its governance and may delegate to one or more of its officers, agents, and employees such powers and

duties as may be deemed necessary and proper. Copies of such bylaws, rules, and regulations shall be filed with the city clerk.

(M) The Development Authority of Warner Robins shall provide to the City of Warner Robins an audited financial statement within six months of the end of the previous fiscal year.

Sec. 5– Tax Exemption Status and Limits

(N) The Development Authority of Warner Robins was created for nonprofit and public purposes, and it is found, determined and declared that the creation of the Development Authority of Warner Robins and the carrying out of its corporate purpose is in all respects for the benefit of the people of this state and that the authority is an institution of purely public charity and will be performing an essential governmental function in the exercise of the power conferred upon it. For such reasons, the state covenants, from time to time, with the holders of the bonds issued under Official Code of Georgia Section 36-62-1, et seq. that the Development Authority of Warner Robins shall be required to pay no taxes or assessments imposed by the state or any of its counties, municipal corporations, political subdivisions, or taxing districts upon any property acquired by the Development Authority of Warner Robins or under its jurisdiction, control, possession, or supervision or leased by it to other (other than property leased for the purposes of a “project” as defined in subparagraph (J) or (K) of paragraph (6) of Official Code of Georgia Section 36-62-2, which shall be table by the state and its counties, municipal corporations, political subdivisions, and taxing districts or upon its activities in the operation on maintenance of any such property or on any income derived by the Development Authority of Warner Robins in the form of fees, recording fees, rentals, charges, purchase price, installment, or otherwise, and that the bonds of the Development Authority of Warner Robins, their transfer, and the income derived therefrom shall at all times be exempt from taxation within the State of Georgia. The tax exemption provided for in Official Code of Georgia Section 36-62-3 shall not include any exemption from sales and use tax on property purchased by the Development Authority of Warner Robins or for use by the Development Authority of Warner Robins.

Sec. 6– Powers

(O) The Development Authority of Warner Robins shall have all of the powers necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, including, but without limiting the generality of the foregoing, the power:

- (1) To bring and defend actions;
- (2) To adopt and amend a corporate seal;
- (3) To make and execute contracts and other instruments necessary to exercise the powers of the authority, any of which contracts may be made with the county in which the authority is located or with any one or more municipal corporations in such county; each such county and all municipal corporations therein are authorized to enter into contracts with the authority;
- (4) To receive and administer gifts, grants, and devises of any property and to administer trusts;
- (5) To acquire, by purchase, gift, or construction, any real or personal property desired to be acquired as part of any project or for the purpose of improving, extending, adding to, reconstructing, renovating, or remodeling any project or part thereof already acquired or for the purpose of demolition to make room for such project or any part thereof;
- (6) To sell, lease, exchange, transfer, assign, pledge, mortgage, dispose of, or grant options for any real or personal property or interest therein for any such purposes;
- (7) Except as otherwise provided in paragraph (7.1) of this Code section, to dispose of any real property for fair market value, regardless of prior development of such property as a project,

whenever the board of directors of the authority may deem such disposition to be in the best interests of the authority if the board of directors of the authority prior to such disposition shall determine that such real property no longer can be used advantageously as a project for the development of trade, commerce, industry, and employment opportunities;

(7.1) Notwithstanding any other provision of this chapter to the contrary, to dispose of any real property for fair market value or any amount below fair market value as determined by the board of directors of the authority, regardless of prior development of such property as a project, whenever the board of directors of the authority may deem such disposition to be in the best interests of the authority if the board of directors of the authority prior to such disposition shall determine that such real property no longer can be used advantageously as a project for the development of trade, commerce, industry, and employment opportunities and if title to such real property is to be transferred to the state;

(8) To mortgage, convey, pledge, or assign any properties, revenues, income, tolls, charges, or fees owned or received by the authority;

(9) To appoint officers and retain agents, engineers, attorneys, fiscal agents, accountants, and employees and to provide for their compensation and duties;

(10) To extend credit or make loans to any person, firm, corporation, or other industrial entity for the planning, design, construction, acquisition, or carrying out of any project, which credit or loans shall be secured by loan agreements, mortgages, security agreements, contracts, and all other instruments, fees, or charges, upon such terms and conditions as the authority shall determine reasonable in connection with such loans, including provision for the establishment and maintenance of reserves and insurance funds; and, in the exercise of powers granted by this Code section in connection with a project for such person, firm, corporation, or other industrial entity, to require the inclusion in any contract, loan agreement, security agreement, or other instrument, of such provisions for guaranty, insurance, construction, use, operation, maintenance, and financing of a project as the authority may deem necessary or desirable;

(11) To acquire, accept, or retain equitable interests, security interests, or other interest in any property, real or personal, by mortgage, assignment, security agreement, pledge, conveyance, contract, lien, loan agreement, or other consensual transfer, in order to secure the repayment of any moneys loaned or credit extended by the authority;

(12) To construct, acquire, own, repair, remodel, maintain, extend, improve, and equip projects located on land owned or leased by the authority or land owned or leased by others and to pay all or part of the cost of any such project from the proceeds of revenue bonds of the authority or from any contribution or loans by persons, firms, or corporations or any other contribution, all of which the authority is authorized to receive, accept, and use;

(13) To borrow money and issue its revenue bonds and bond anticipation notes from time to time and to use the proceeds thereof for the purpose of paying all or part of the cost of any project, including the cost of extending, adding to, or improving the project, or for the purpose of refunding any such bonds of the authority theretofore issued and to otherwise carry out the purposes of this chapter and to pay all other costs of the authority incident to or necessary and appropriate to such purposes, including the providing of funds to be paid into any fund or funds to secure such bonds and notes, provided that all such bonds and notes shall be issued in accordance with the procedures and subject to the limitations set forth in Code Section 36-62-8;

(14) As security for repayment of authority obligations, to pledge, mortgage, convey, assign, hypothecate, or otherwise encumber any property, real or personal, of such authority and to

execute any trust agreement, indenture, or security agreement containing any provisions not in conflict with law, which trust agreement, indenture, or security agreement may provide for foreclosure or forced sale of any property of the authority upon default, on such obligations, either in payment of principal or interest or in the performance of any term or condition, as are contained in such agreement or indenture. This state, on behalf of itself and each county, municipal corporation, political subdivision, or taxing district therein, waives any right which it or such county, municipal corporation, political subdivision, or taxing district may have to prevent the forced sale or foreclosure of any property of the authority so mortgaged or encumbered, and any such mortgage or encumbrance may be foreclosed in accordance with law and the terms thereof;

(15) If any authority authorizing an air transportation facility, to contract with any county or municipal corporation in the state; and any county or municipal corporation in the state is empowered to contract with any such authority to furnish air transportation services where such service is not otherwise in existence;

(16) To expend for the promotion of industry, agriculture, and trade within its area of operations any funds of the authority determined by the authority to be in excess of those needed for the other corporate purposes of the authority; and

(17) To do all things necessary or convenient to carry out the powers expressly conferred by this chapter.

(O) Pursuant to Official Code of Georgia Section 36-62-6(b), the Development Authority of Warner Robins does not have the power to exercise the power of eminent domain.

(P) The authority shall not be authorized to create in any manner any debt, liability or obligation against the State of Georgia, Houston County, or City of Warner Robins.

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If any ordinance, or part thereof, of the City of Warner Robins is in conflict herewith, this ordinance shall have preference. If any provisions of this ordinance are held invalid, such invalidity shall not affect any of the other provisions which can be given effect without the invalid provision, and, to this end, the provisions of this ordinance are declared to be severable.

Motion:	N/A
Second:	N/A
Outcome:	N/A

Adjournment: 6:40 p.m.

Next Regular Council Meeting: Monday, October 5, 2020



Mandy Stella
City Clerk

NO. 28-20
CITY OF WARNER ROBINS
STATE OF GEORGIA

ORDINANCE

WHEREAS, Section 6.11 of the Warner Robins City Charter provides that the millage rate for City ad valorem taxes be set by adoption of an ordinance of the Mayor and Council.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Warner Robins that the millage rate for 2020 is set at 9.980 mills and the due date will be December 21, 2020.

If any ordinance, or part thereof, of the City of Warner Robins is in conflict herewith, this ordinance shall have preference. If any provisions of this ordinance are held invalid, such invalidity shall not affect any of the other provisions which can be given effect without the invalid provision, and, to this end, the provisions of this ordinance are declared to be severable.

The provisions of this ordinance were first read on September 21, 2020 and shall become effective upon adoption on September 28, 2020.

CITY OF WARNER ROBINS, GEORGIA

By: 
Randy Toms, Mayor

Attest:


Mandy Stella, City Clerk